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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,162	02/24/2004	Fuhsing Tan	1731002	2362
47625 7590 12/29/2006 PRO-TECHTOR INTERNATIONAL SERVICES 20775 NORADA CT. SARATOGA, CA 95070			EXAMINER HU, KANG	
			ART UNIT	PAPER NUMBER
			3709	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		12/29/2006	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/784,162

Applicant(s)

TAN, FUHSING

Examiner

Kang Hu

Art Unit

3709

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, 2, 4, 6, 8 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the upper portion" and "the lower portion" in lines 8 and 9.

There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recites the limitation "the support foot" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "bottom edge" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "the pivots" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 recites the limitation "the storage rack" in line 2. There is insufficient antecedent basis for this limitation in the claim.

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Claim 9 recites the limitation "the outer wrappage" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rhee (US 6,390,295 B2) in view of Coughlin (US 1,467,756).

Re claim 1: Rhee discloses a golf bag comprises a bag body, wherein the bag body has an inner storage rack which comprises a top frame, a middle frame, a bottom frame (see fig 4), a plurality of support rod (148, 149) provided between the top frame and the middle frame and a joint block (172) for stably coupling the middle frame and the bottom frame; a tilting device, wherein the tilting device comprises a fixed leg and a pair of steel wires (110) extending therefrom (see fig 1, 2 and 3).

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However Rhee did not teach that the fixed leg having a moveable shank therein, a notch formed in the upper portion of the moveable shank and a support feet formed at the lower portion thereof to push the moveable shank to move up and down relative to the fixed leg; and a support bracket; wherein the middle frame having a Σ -shaped frame which can disengage with the notch through the push of the moveable shank.

Rhee further discloses:

Re claim 2: the bottom frame has a flat bottom surface, (col 7, lines 8 and 9) and there is a distance from the support foot to a bottom surface of the bottom frame (fig 1).

Re claim 5: the top frame has a pivot, and the support bracket is provided with two feet which are linked with the top frame by a pivot (figures 1,2 and 3).

Re claim 6: each of the two feet also has another pivot in middle thereof, and through the pivots the steel wires connect with the support bracket (fig 3).

Re claim 7: the bottom frame also connects with the fixed leg by an additional pivot (fig 1, 2 and 3).

However Rhee did not teach:

Re claim 3: the Σ -shaped frame comprises an upper edge and a lower edge, and the Σ -shaped frame clasps the notch through the upper edge thereof.

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Re claim 4: the upper edge is released from the notch by using the moveable shank to push the bottom edge.

Re claim 7: and the Σ -shaped frame and the notch are positioned face to face.

Coughlin teaches the above limitations in his invention (col 1, lines 50-56; col 2, lines 57-90; fig 1).

Therefore in view of view of Coughlin, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a moveable shank and a Σ -shaped frame to engage and disengage the notch through the push of moveable shank for a quick and easy adjustable mechanism to operate the golf bag stand.

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rhee (US 6,390,295 B2) in view of Coughlin (US 1,467,756) further in view of Taylor (4,053,169). The teachings of Rhee and Coughlin have been discussed above.

Rhee and Coughlin did not teach in their inventions:

Re claim 8: the bag body further includes an outer wrappage to enclose the storage rack.

Re claim 9: a decorative cover is mounted on the outer wrappage.

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Taylor teaches the use of a decorative cover to enclose the storage rack (col 3, lines 50-65).

Therefore in view of view of Taylor, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a decorative cover to protect the golf clubs and making the golf bag more appealing to its customers.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lee teaches of a golf bag stand that can support a golf bag carrying golf equipment in an inclined position while it is at rest. Hamamori teaches of a self-standing golf bag capable of supporting a large load with relatively simple structure. Park teaches an automatically foldable support stand for a golf bag. Reimers teaches a soft sided golf bag with a quick action integral stand provided to operate intermediate a stand mode and a storage mode.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kang Hu whose telephone number is (571)270-1344. The examiner can normally be reached on 7:30 - 5(M-F) (Off every other friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jong-Suk(James) Lee can be reached on 571-272-7044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

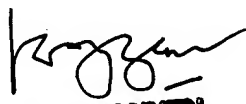
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KH/

Kang Hu

Dec 19, 2006


KIM NGUYEN
PRIMARY EXAMINER